

FILED
U.S. DISTRICT COURT
AUGUSTA DIV.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
DUBLIN DIVISION

2020 JAN -2 PM 3:59

UNITED STATES OF AMERICA

*

CLERK

[Signature]
SO. DIST. OF GA

v.

*

CR 319-007

JONATHAN SEAY

*

O R D E R

In consideration of Defendant Jonathan Seay's recent motion to dismiss the indictment, the United States Attorney's Office was ordered to produce certain specific information to the Court for consideration, specifically A) any and all policies, contracts, certificates, or other indicia of an insuring agreement related to the indictment; B) any on-line application, correspondence, underlying agreement, or other documentation related to the so-called "life insurance policy with Globe Life for Victim A" as described in paragraph 8 of the indictment; and C) any and all transcripts, recordings, notes, or FBI forms 302 related to or memorializing conversations between Special Agent Marcus Kirkland and four named individuals. (See Order of Dec. 27, 2019, Doc. No. 43, at 2.)

The Government electronically filed a "Response" to the Court's Order with a CD-Rom of documents (Exhibit A) that did not contain an index and was not organized in any meaningful way.

After further communication with a member of my staff, the Government electronically filed an "Amended Response" purporting to organize the documents to mirror the Court's requests by letter, i.e., Exhibits A, B, C-1, C-2, C-3, and C-4. The actual exhibits were e-mailed to my staff with a motion to seal. The e-mail containing Exhibits A, B, C-1, C-2, C-3, and C-4, however, was password protected, and though the Government provided a password, neither I nor any member of my staff could open the documents.¹

On the next business day and after an unequivocal demand, the Court received in chambers physical copies of Exhibits A, B, C-1, C-2, C-3, and C-4. The Court has now reviewed the Exhibits, which number nearly 500 pages and has determined that the most useful document included is Exhibit A, the focal point of the Court's inquiry.

The Court will not belabor the Clerk's Office with the entirety of the Government's production, much of which pertains to an individual and an insurance agreement not mentioned in the indictment. Accordingly, the Court **GRANTS IN PART** and **DENIES IN PART** the Government's motion to seal (doc. no. 46) and hereby **ORDERS** the following action:

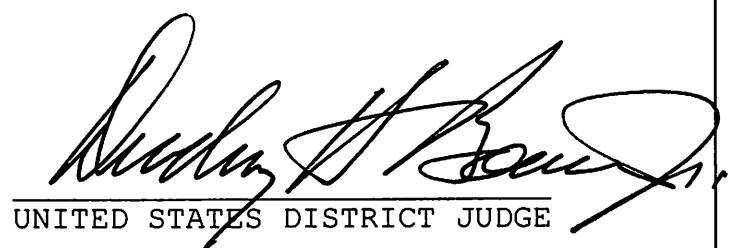
¹ It is frustrating that the United States Attorney's Office insisted on engaging in a fruitless attempt to produce responsive documents electronically, which resulted only in delay and wasted professional time, especially when his office is less than 200 yards away from my chambers.

1) The Clerk shall **STRIKE** the Government's initial Response (doc. no. 44) from the record and return the CD-Rom marked Exhibit A to the United States Attorney.

2) The Clerk shall cause to be filed under seal only Exhibit A to the Government's Amended Response (doc. no. 45).

3) The Clerk shall return Exhibits B, C-1, C-2, C-3, and C-4 to the Amended Response to the United States Attorney

ORDER ENTERED at Augusta, Georgia, this 2nd day of January, 2020.



UNITED STATES DISTRICT JUDGE